49-50
19~~5~~

B CLASS

File No. 9235/36-W.

P. W. DEPARTMENT

E BRANCH I

Subject:— Extension of service
Desai, Mr N.K. Desai Dy Engr.
North Thana Divn.
Grant of — after superannuation

B [K] - 1950

E(I)

File No. 9235/36-W

Ed. Sectt. Stip. 94 A

G.R.,G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 9235/36-II

P.W DEPT.

E BRANCH. (I)

References :—

Date	To whom sent.	Notes and instructions.

Letter.

No.9235/36-E(I). Public Works Department,
Bombay Castle, 7th May 1949.

To

The Accountant General,
Bombay.

(through the Finance Department).

Subject:- Fixation of pay of Mr. N.K.Desai, re-employed Deputy Engineer in the prescribed pay-scale.

Reference: Your letter No. G.II-BSE-6613, dated the 16th February 1949.

2. Government is pleased to direct that Mr. N.K.Desai, re-employed Deputy Engineer, should be allowed, during the period of his re-employment, the benefit of the prescribed pay-scale of Rs.220-15-400-E.B.-20-500-E.B.--25-650, sanctioned for the Deputy Engineers in the Bombay Service of Engineers, Class II, and that he should be allowed increments in that scale. His pay should accordingly be fixed at Rs.400 p.m. (inclusive of the uncommuted pension) with effect from the date of his re-employment, viz., the 17th September 1948.

3. Government is also pleased to allow Mr. Desai to cross the first efficienty bar at Rs.400 in the prescribed scale mentioned above and to draw pay at Rs.420 p.m. (inclusive of uncommuted pension) with effect from the 8th October 1948.

4. Orders regarding the fixation of pay of the other re-employed officers in the Public Works Department in the prescribed scale will be issued hereafter.

By order of the Governor of Bombay,

Sd/-
For Secretary to the Government of Bombay,
Public Works Department.

D.A.-Nil.

Copy forwarded to -

the Finance Department,

the.....

the Superintending Engineer, Bombay Circle,
the Executive Engineer, North Thana Division,

for information.

No.G.IIBSE/2199 Bombay, the 16thx August 1949.

FROM

THE ACCOUNTANT GENERAL, BOMBAY,

TO -

The Secretary to the Government of Bombay,
P. W. D., Bombay.

Subject:- Fixation of pay of Mr. N.K.Desai, re-employed Deputy Engineer in the prescribed scale.

Reference:- G.L.P.W.D.No.9235/36-E(I), dated the 7-5-49.

Sir,

I am to request youx m to forward to this office (through F.D.) a copy of the above quoted G.L. as the same has not been received in this office so far.

Yours fáithfully,

Sd/-
Deputy Accountant Genral.

E.B.(I) 9235/36/54344

P.W.D.

Submitted.

2. A copy of this Deptt. letter No. 9235/36-E(I), dated the 7-5-49, was sent to the A.G., Bombay, through the F.D. ~~xxx xxx~~ It appears that the F.D. has not forwarded the A.G.'s copy to that officer. That Deptt. may, ~~xxxx~~ perhaps, be requested u.o. to pass on the same to the A.G., Bombay, if not already done so.

Id/-
5-9-49

Thro' I. S.

Id/-
5/9/49.

U.O.R. to the F.D., dated the 7-9-49.

Finance Deptt.

A copy of the letter referred to above may be issued by the endst. No. to the A.G. and the pps. may be returned to the P.W.D.
1768/33/24644-F,
dated the 19-9-49.

Id/-
17-9-49.

Id/-
17/9

U.O.R to P.W.D., dated the 19-9-49.

9235/36/61756

E.B.(I). P. W. D.

Submitted for information.

Id/-
29-9-49. Record.

A.G. may see u.o.

Id/-
30/9/49.

U.O.R. to the A.G., Bombay, dated the 4-10-49.

UOR-G II
80

A.G'S Office.

Will the Secretary to Government, Public Works Department, Bombay, kindly refer to Un-Official dated 23-6-1949 (File No.9235/36)? The question regarding the fixation of pay of reemployed Government servants in the prescribed scale is under considertion and the papers will be returned to Government shortly.

Sd/-
R. A. G.

U.O.R. to Govt. P.W.D., Bombay,
No.G.IIB.S.E./2977. Bombay, the 29th September 1949.

E.B.(I). P.W.D.

Await.

Id/-
10/10/49.

Id/-
11/10/49.

A.G's Office, Bombay.

Returned.

The papers in question have since been returned to Govt. and the P.W.D. under this office No.G.II-BSE.3343, dated the 31-10-49.

Sd/-
A. G. G.

U.O.R. to Govt. in the P.W.D.

No.G.IIBSE/3669, dated the 18th November 1949.

9235/36/7713.

E.B.(I). P. W. D.

Submitted with reference to the notes on pages 5-6 ante.

2. The papers refd. to in the A.G's note overleaf (File No. 9235/36/7219) have been referred u.o. to the F.D. on the 7-11-49. Nofurthor action is necy. on these papers which may now be recorded.

Id/-
22-11-49. Should be recorded with the main batch.

Id/-
23/11/49.

No.G.II-BSE-6613.,
Bombay, 16th February 1949.

From

The Accountant General, Bombay.

To

The Secretary to the Govt. of Bombay,
P.W.D., Bombay.

Sub:- Reemployment of Mr. N.K.Desai Dy. Engr. Andheri Sub Dn.

Sir,

I have the honour to invite a reference to G.L. P.W.D.Con/No. 9235/36E(I), dated 16-3-48 sanctioning the reemployment of Mr. N.K.Desai Dy. Engineer for a period of one year with effect from 17-9-48 on such pay which together with his uncommuted pension which will

be equal to Rs.385/- p.m. and also allowing him to count his past service on the existing pay towards increment and to state that as per rule 8(1) of the B.C.S.(Rof P) Rules 1948, Mr. Desai's pay works upto Rs.385/- from 1-1-47 and to Rs.400/- from 8-10-47. He was reemployed from 17-9-48 and allowed to draw Rs.385/- inclusive of pension. It may therefore please be stated whether he should be allowed the benefit of prescribed scale from 17-9-48 viz. the date of his reemployment and his pay fixed at Rs.400/- under para 4(i) of the F.D. circular memo. No.6567/33, dated 29-5-48. This office may please be intimated whether in cases where pay during the re-employment has been sanctioned as pay drawn at the time of retirement less pension. The officers are to be allowed. pay admissible on refixation and that the figure of pay mentioned as drawn at the time of retirement in such sanction should be taken as pay that would be admissible in view of the introduction of the revised scales of pay.

2. It may also further be intimated whether in pursuance of the orders contained in the G.I.E.P.W.D.No. 9235/36E(I), dated 16-3-48, he is to be granted increment on the usual rate. If so, his pay will be Rs.420/- with effect from 8-10-48. As however, Rs.420/- is the stage next above the E.B. in the prescribed scale orders of Government permitting him to cross the same from that date may also be issued.

3. Orders of Government in the matter may be issued at an early date.

Yours faithfully,

Sd/-
Dy. Accountant Genera.

9235/36/11678.

E.B.(I). P. W. D.

Mr. N.K.Desai, retired Dy. Engr., has been re-employed with effect fron the 17-9-48 (the date of his suerannuation) on the terms and conditions mentioned in G.L. No.9235/36-E(I), dated the 16-3-48. The A.G. states that the pay of Mr. Desai in the prescribed scale, viz. of Rs.220-15-400-E.B.-20-500-E.B.-25-650, works out as under -

From	To	Pay p.m. Rs.
1-1-47	7-10-47	385
8-10-47	7-10-48	400
8-10-48		420

The A.G. has raised the following points reg: regulation of pay of Mr. Desai and other re-employed officers in the prescribed scale -

(i) Whether Mr. Desai may be allowed the benefits of the prescribed scale from the date of his re-employment and his pay fixed at Rs.400 p.m. (inclusive of uncommuted pension, i.e. original pension) as against Rs.385 p.m. (inclusive of uncommuted pension) with effect from the date of his re-employment, viz. the 17-9-48.

(ii) Whether Mr. Desai is to be granted increments at the usual rate in the prescribed scale and his pay fixed at Rs.410 p.m. with effect from the 8-10-48. If so, he may be permitted to cross the efficienty bat at Rs.400.

(iii) Whether other officers who are re-employed on the pay (inclusive of uncommuted pension) equal to the pay drawn by them at the time of retirement are to be allowed pay admissible in the prescribed scale and the amount of pay drawn by them at the time of retirement mentioned in their apptt. (re-employment) orders should be taken to mean

as pat admissible to them in the prescribed scale af the time of their retirement.

2. Point (i) above:- As Mr. Desai on re-employment was allowed to draw pay in the old time scale of pay for the Dy. Engrs. he is entitled to the benefits of the corresponding prescribed pay-scale sanctioned for the Dy. Engrs. and consequently to have his pay refixed and regulated in the prescribed pay scale, Vide para 4(1) of G.C.M.,F.D., No.6567/33, dated the 20-5-49. His pay may accordingly be refixed at Rs.400 p.m. (inclusive of uncommuted pension) in the prescribed pay-scale with effect from the date of his re-employment, viz the 17-9-48.

3. Point (ii) above:- In view of what is stated in para. 2 above Mr. Desai may be granted increments in the prescribed scale. Accordingly his pay would be raised to Rs.420/-p.m. with effect from the 8th October 1948. As, however, there is an efficiency bar at Rs.400 his pay cannot be raised to Rs.420/- p.m. unless he is allowed to cross the efficiency bar. In view of the xx remarks of the Ex. Engr., North Thana Dn., and the S.E., B.C., about Mr. Desai's work and ability-vide-Their letter and endt., respectively, on pages 1 and 3 ante, it is for consideration whether Mr. Desai may be allowed to cross the first efficiency bar at Rs.400 and to draw pay at Rs.420/- p.m. with effect from the 8-10-48. The Personal File of Mr. Desai is put up below.

4. Point at (iii) above:- This may be approved as in the case of Mr. Desai.

5. On recept of orders, the papers will be refd. x u.o. to the F.D. before they are submitted to Govt.

Id/-
14-3-49.

I agree with the O.N. Mr. Desai may be allowed to cross the efficiency bar at Rs. 400/-

Urgent.
U.O.R. to the F.D., dated the 16-3-49. Id/-
16-3-49.

P.W.D. 9235/36/11678.

P.D. (C. Br.)

The conclusions arrived at on points (i) and (ii) in the P.W.D. O.N., dated the 16-3-49 seem to be correct and may be agreed E. As regards point (iii), however, their conclusions may be agreed to in so far as those re-employed pensioners who retired from regular Govt. service after 1-1-47, are concerned. This is because the revised pay scales which came into effect from that date became applicable to them when they were in regular service. The cases of those who retireed on or before that date and consequently did not draw any pay in the revised pay-scales while in regular service will have to be examined individually on merits. The P.W.D. may be advised accordingly.

Id/-
22-3-49.

We may agree with the conclusions reached by the P.W.D. on (i) and (ii). As regards (iii), if seems clear that the Ag. G. is referrring only to those cases in which a Govt. servant has retired after 1-1-47 but before his pay in the prescribed scale was fixed and was re-employed. There seems no objection to the P.W.D. suggestion provided that the pay in the prescribed scale is adopted on the basis only in those cases of re-employment where the ordefs merely refer to "pay before retirement" and not to any specific amount. In other words where the pay a re-employed is definitely fixed as a specific amount, the orders of the authority which fixed the Govt. Servant's pay on re-employment should be obtained.

Id/-
25/3

Id/-
26/3

U.O.R. to the P.W.D., dated the 28-3-41.

9235/36/21249

E.B.(I). P. W. D.

Submitted with reference to this Deptt. U.O.R. dated the 16-3-49, which contains the facts of the proposals under considration.

2. The F.D. has agreed to the first two proposals of this Deptt. viz. (i) that Mr. N.K.Desai, may be allowed the benefit of the prescribed scale for Dy. Engrs. from the date of his reemployment and his pay fixed at Rs.400/- p.m. (inclusive of uncommuted pension) with effect from that date viz the 17-9-48 and (ii) that he may be granted increments in the prescribed scale. Accordingly his pay would be raised to Rs.420/- p.m. with effect from the 8-10-48. As, however, there is an efficiency bar at Rs.400/- he cannot draw this pay unless he is allowed to cross the bar.

It is accordingly proposed to allow Mr. Desai to cross the first efficiency bar at Rs.400 and to draw pay at Rs.420 (inclusive of uncommuted pension) p.m. with effect from the 8-10-48. The draft putup for approval may issue after submitting the papers to Govt. The Dy. Secy. will kindly put up the personal file of Mr. Desai.

3. As regards the third porposal mentioned in para 1 (iii) and 4 of the office note dated the 14-3-49, the necy. further action thereon will be taken after the proposed draft is issued.

Id/-
28-4-49.

Mr. N. K. Desaids personal file is put up below .

Id/-
8/4/49.

Id/-
25/4

Id/-
30/4

Id/-
30-4-49.

Id/-
4/5

9235/36/21249

Letter.

No.9235/36-E(I). P. W. D., B.C., 7th May 1949.

To

The A.G., Bombay. (Thro. the F.D.).

Subject:- Fixation of pay of Mr. N.K.Desai, re-employed Dy. Engr., in the prescribed pay-scale.

Reference: Your letter No.G,II-BSE-6613, dated the 16-2-49.

2. Govt. is pleased to direct that Mr. N.K.Desai, re-employed Dy. Engr., should be allowed, during the period of his re-employment, the benefit of the prescribed pay-scale of Rs. 220-15-400-E.B.-20-500-E.B.-25-650, sanctioned for the Dy.Engrs. in the BSE, Class II, and that he should be allowed increments in that scale. His pay should accordingly be fixed at Rs.400 p.m. (inclusive of the uncommuted pension) with effect from the dates of his re-employment, viz. , the 17-9-48.

3. Govt. is also pleased to allow Mr. Desai to cross the first efficiency bar at Rs.400 in the prescribed scale mentioned above and to draw pay at Rs.420 p.m. (inclusive of uncommuted pension) with effect from the 8-10-48.

4. Orders reg. the fixation of pay of the other re-employed officers in the P.W.D. in the prescribed scale will be issued hereafter.

D.A.-Nil.

By order of Govt. of Bombay.

Copy forwarded to -

the F.D.,

the S.E.,B.C.,

the Ex. Engr., North Thana Dn.,

for information.

Id/-
28-4-49.

Id/-
28-4-49.

9235/36/21249

E.B.(I). P. W. Deptt.

Please see proposal at (iii) in para. 1 and para. 4 of the office note dated the 14-3-49, the F.D. Asstt. Secy.'s note dated the 25-3-49. and para. 3 of the office note dated the 28-4-49. The question under consideration is regarding the fixation of pay of the reemployed officers in the prescribed pay scales. The assumption made by the F.D. Asstt. Secy. at 'A' in his note does not seem to be correct. The pay of officers who retired before 1-1-47 and who have been reemployed from the date of tetirement and continued as such after 1-1-47 will have also to be fixed in the prescribed. scales.

Almost all the officers re-employed by this Department were granted intial pay (inclusive of uncommuted pension) equal to the pay last drawn by them at the time of retirement. In some cases, however, the amount of initial pay (inclusive of uncommuted pension) was mentioned but even that was based on the principle mentioned at 'B' above, i.e., the amount of initial pay (inclusive of uncommuted pension) fixed on re-employment was equal to the last pay drawn by the officers concerned at the time of their retirement. It may, therefore, be stipulated that in the case of those initial pay (inclusive of uncommuted pension) equal to the pay last drawn by them at the time of retirement their initial pay, even though mentioned in amount, should be taken as pay that would be admissible to them in the prescribed scales. The cases of other officers should be referred to Govt.

2. The A.G. may see the papers U.O. for remarks before they are refd. again to the F.D.

Id/-
22-6-49.

Id/-
22-6-49.

Very Urgent.
U.O.R. to the A.G., Bombay, dated the 23-6-49.
G II

"A.G.'s Office, Bombay."

Returned to Government in the P.W.D. Bombay.

It is seen from the noting of the F.D. that only these reemployed pensioners who retired from Government service after 1-1-47 should be given the benefit of the prescribed scale and the cases of those who retired to or before 1-1-47 should be examined individually on merits. According to para 4 of the Government of Bombay F.D. circular memorandum No.6567-33, dated the 29-5-48 the benefit of the prescribed scale of pay has been given by this office to all reemployed pensioners irrespective of their dates of retirement i.e. both before or after 1-1-47. It is, therefore, requested that the F.D. may be asked to suitable amend para 4 of Government F.D. circular Memo No.6567/33, dated the 29-5-48 if it is their intention, not to give the benefit of the prescribed scale to those who retired before 1-1-47.

Sd/-
A. A. G.
31/X/49.

The Government in the P.W.D. Bombay.
No.G.II-BSE -2343 dated the 31st October 1949.

9235/36/72681.

E.B.(I). P. W. D.

Submitted with reference to the office note dated the 22-6-49.

2. The papers may now be refd. u.o. to the F.D.

Id/-
5-11-49.

Id/-
7/11/49.

U.O.R. to the F.D., dated 8-11-49.

Finance Department (C).

Submitted with reference to Asstt. Secy's. note dated.....

dated the 25-3-49 approved by Under Secy.

2. There appears to have been much confussion about this case. One of the points on which the A.G. sought elucidation in his letter of 16-2-49 was whether in cases where pay during the re-employment has been sanctioned as pay drawn at the time of retirement less pension, the offices are to be allowed pay admissible on refixation and whether the figure of pay mentioned as drawn at the time of retirement in such sanction should be taken as pay that would be admissible in view of the intpoduction of the revised scales of pay. The latter part of the query (underlined above) clearly refers to Govt. servants who have retired after 1-1-47; for in the case of others (retiring before that date) the pay drawn at the time of retirement cannot be affected by the introduction of the revised scales of pay. It was because of this that the A.G.'s query was taken in this Deptt. to refer to Govt. servants retiring after 1-1-47 and remarks were offered with ref. to only such Govt. servants in so far as the question of pay drawn at the time of retirement was concerned. F. D.'s advice was that if re-employment was on 'pay last drawn' minus pension, then 'pay last drawn' should be taken to be the pay in the prescribed scale and so the pay on re-employment should be refixed. If however the re-employment was on a fixed pay without any ref. to the pay last drawn and pension, the pay on re-employment should not be changed as a matter of course, but a ref. on the point should be made to the authority which fixed the pay.

3. As for refixation of pay of re-employed pensioners in the revised scales of pay, orders in para. 4 of G.R., F.D. No.6567/33, dated the 29-5-48 stand unaffected. It is not the intention to debar re-employed Govt. servants who had retired before 1-1-47 from the benefits of the above G.R. This may be returned to the P.W.D. with these remarks.

Id/-

4. The third point raised by the A.G., is this. How is the term, "present pay", used in the fifth line of paragraph 4 of G.C.M., No.6567/33, dated the 29-5-1948, to be interpreted in the case of re-employed pensioners ? The pay of re-employed pensioners is fixed in any of the following three ways:-

(1) Their pay may be fixed at a stage in the pay-scale of the post in which they are re-employed, which, together with pension, does not exceed substantive pay drawn before retirement.

(2) They may be given 'pay Minus pension', the pay being the substantive pay drawn before retirements, which may or may not be a stage in the pay-scale of the post in which they are re-employed.

(3) They may be given pay equal to a fixed amount, expressed in Rupees, annas and even pies.

pies are always to be rounded off to the neared anna.

5. The case of re-employed men in the third category is governed by para. 4 (2) of G.C.M., No.6567/33, dated the 29-5-1948. The cases of re-employed men of categories (1) and (2) mentioned above are governed by para. 4 (1) of the G.C.M., dated the 29-5-1948. So far as category (1) is concerned, there is no difficulty, as "present pay" is the basic pay given at the time of re-employment, which is a stage in the time-scale of the post. As regards category (2), the "pay" given at the time of re-employment is (a) inclusive of an extraneous element, viz., pension, and (b) may not be a stage in the time-scale of the post in which the persons are re-employed. Cases of the type of (b) must be very rare and may be decided individualy. As regards (a), we may inform the A.G. that the term "present pay" should apply also to pay which is inclusive of pension, provided the pay is a stage in the unrevised time-scale of the post. The P.W.D. may be requested to inform the A.G. accordingly. The question whether the persons were

re-employed before or after 1-1-1947 is not relevent to the point raised by the A.G. in his letter of 16-2-49

Id/-
26/9/49.

Id/-
2/12

Id/-
2/12/

Id/-
2/12

u.o.r. to the P.W.D., dated the 5-12-49. D.S.(S),

9235/36/33188

E.B.(I). P. W. D.

Submitted with reference to the office notes on pages 11-13 ante.

2. The F.D has agreed to our view that the pay of the re-employed officers is to be fixed according to the B.C.S. (Revision of Pay) Rules, 1948, in the prescribed (revised) scales irrespective of the fact whether they retired before or after 1-1-47 i.e., the date on which the prescribed (revised) scales were introduced. As stated by the F.D., it is not, therefore, necy. to modify the orders issued in para 4 of G.C.M., F.D., No. 6567/36, dated the 29-5-49 as suggested by the A.G. in this note dated the 31-10-49. As stated in the office note on page 11 ante, almost all the officers re-employed by this Deptt. were given pay (inclusive of uncommuted pension) equal to the substutative pay last drawn by them at the time of their retirement, even though in some cases the initial pay (inclusive of pension) on re-employment was mentioned in amount. All the re-employed officers in this Deptt. therefore, fall in category (i) mentioned in the foregoing F.D. note and as such they are entitled to get their pay regulated in the prescribed (revised) pay-scales. In the circumstances we may inform the A.G. that the re-employed officers, who on re-employment were given initial pay, which together with their

uncommuted pension, (i.e. pay inclusive of uncommuted pension) did not exceed the substantive pay last drawn by them at the time of their retirement, should be allowed pay admissible in the prescribed scale, Their initial pay being taken as "present pay" for purposes of the B.C.S. (Revision of Pay) Rules, 1948, provided that the initial pay on re-employment was at a stage in the unrevised scale. The cases of all other re-employed officers should be refd. to Govt. for orders. Before, however, the necy. draft is put up, the A.G. may see the papers u.o. with reference to his note dated the 31-10-49.

Id/-
21-1-50.

Id/-
23/1/50.

U.O.R. to the A.G., Bombay, dated the 25-1-50.

9235/36/83188. E.B.(I). P.W.D.

Submitted with reference to the office notes on pages ante.

2. The F.D. has agreed to on view that the pay of the re-employed officers is to be fixed according to the B.C.S. (Revisón of Pay) Rules, 1948, in the prescribed (revised) scales irrespective of the fact whether they retired before or after 1-1-1947 (i.e. the date on which the priscribed (revised) scales were introduced. As stated by the F.D., it is not, therefore, necy. to modify the orders issued in para 4 of G.C.M., F.D., No.6567/36, dated the 29-5-48 as suggested by the A.G. in his note dated the 31-10-49. As stated in the office note on page 11 ante, almost ~~al~~ all the officers re-employed by this Deptt. were given pay (inclusive of uncommuted pension), equal to be substantive pay lost drawn by them at the time of their retirement, even though in some cases the initial pay (inclusive of pension) on re-employment was mentioned in amount. All the re-

re-employed.....

re-employed officers in this Deptt., therefore, full in category (i) mentioned in the foregoing F.D. note and as such they are entitled to get their pay regulated in the prescribed (revised) pay-scales. In the circumstances we may inform the A.G. that the re-employed x officers, who on re-employment were given initial pay, which together with their uncommuted pension, (i.e. pay inclusive of uncommuted pension), did not exceed. The substantive pay lost drawn by them at the twâce of their retirementx, should be allowed pay admissible in the prescribed scale, their initial pay being taken as "present pay" for purposes of the B.C.S. (Revision of Pay Rules, 1948, provided that the initial pay on re-employment was at a stage in the unrevised scale. The cases of all other re-employed offices should be refd. to Govt. for orders. Before, however, the necy. draft is put up, the A.G. may see the papers U.O. with reference to his note dated the 31-10-49.

Id/-
21-1-50.

Id/- K.V.J.
23-1-50.
D. S.

U.O.R to the A.G., Bombay, dated the 25-1-50.

E.E.(I). P.W.D.

The A.G., has been expedited under u.o.r. No. 9235/36/83188, dated the 28th March 1950.

Id/-
27-3-50.

Id/-
27-3-50.

A. G's Office,
Bombay.

Returned with compliments.

2. While replying under this office No.G.II.BSE/8343 dated 31-10-49, this office had in view x the following categories of re-employed officers in whose case the pay is fixed at a stage in the pay scale of the post in which

they.....

they are re-employed which together with pension does not exceed the pay drawn before retirement.

(1) Who retired before 1-1-47 and were re-employed from the date of retirement and continued as re-employed even after 1-1-47 .

(2) Who retired before 1-1-47 but were re-employed after that date; and ,

(3) Who retired after 1-1-47 and were re-employed.

The case of Mr. N.K.Desai referred to in this office letter No.G.II.BSE.6613 dated 16-2-49 falls under category 3 above and that case as well as similar other cases of re-employed pensioners in the P.W.D. will be regulated in accordance with the P.W.D letter No.9235/36-E(I), dated 7-5-49 (at page 9 of the U.O. File).

3. As regards the officers falling in categories (1) and (2) , the following two cases of each category are cited for the information of Government.

(i) Mr. R.C.Raghavan Deputy Engineer who retired on 21-10-43. was reemployed with effect from 3-4-44. According to para 3 of P.W.D. letter No.5660/36-E(I), dated 7-5-48, his pay during re-employment was fixed at Rs.420/- p.m. and Rs.440/- p.m. from 3-4-46 and 3-4-46 respectively. His pay on 1-1-47 was thus Rs.440/- p.m. in the pre prescribed scale @ Rs.440/- p.m. on 1-1-47 and @ Rs.460/- p.m. from 3-4-47 (the date of increment being 3rd April) This case falls under category (1) referred to above.

(ii) R/B R.D.Parikh who retired as Executive Engineer from 16-10-46, was reemployed with effect from 20-1-48 on pay of Rs.980/- (minus pension of Rs.456-8-) p.m. in the pre-prescribed B.S.E. Cl.I.Scale of Rs.456 to 510-30-660 E.B.40-1020. His pay was refixed in the prescribed time scale of Rs.500 (6th year) -30-650-E.B.45-1100 as under. :-

(a)

(a) Rs.508-8(Exclusive of pension) plus Rs.15/- PP from 20-1-48.

(b) Rs.553-8 (exclusive of pension) from 5-10-48.

This case falls under category (2) refce. to above.

It will be observed that in both cases the officers were allowed pay in the pre scribed scales, their initial pay being taken as "Present pay" as defined in B.C.S. (Revision of Pay) Rules 1948. Since Finance Department has agreed that the orders in paragraph 4 of the Finance Department circular memorandum No.6567/33, dated 29-5-48. apply to all reemployed officers irrespective of the date of retirement, that department will please inform this office whether the action of this office in refixing pay in the prescribed scales in respect of the above two cases is in order.

4. Government is also requested to issue general orders in the matter at an early date.

Id/-
5/4/50.
A.A.O.

U.O.R. to P.W.Department Bombay.
G.II BSC 75 11th April 1950.

E&B.(I). P. W. D.

Submitted with reference to the office note dated the 21-1-50.

2. The papers may be refd. u.o. to the F.D. with reference to the concluding portion of para 3 of the A.G.'s note overleaf.

Id/-
18-4-50.

Id/-
18/4/50.

U.O.R. to the F.D., dated the 19-4-50.

Finance Department.

Submitted with reference to O.N., dated the 28-11-1949.

2. 2.....

2. These papers have been referred u.o. to this Deptt. with reference to para. 3 of the A.G.'s u.o. note dated 5.4.50.

(i) The pay of Shri Raghavan as calculated in para. 3 (i) of the A.G.'s u.o.r. is in accordance with para. 4(1) of G.R., F.D., No. 6567/33, dated the 29-5-1948 and seems to be correct.

(ii) The pay of R.B. Parikh as calculated in para. 3 (ii) of the A.G.'s u.o.r. is also in accordance with para. 4(i) of the F.D.,G.R. referred to above and 'A' of o.n. , dated 28./11-1949. As Rs. 980 is not a stage in the prescribed scale of Rs. 500-30-650-45-1100 the A.G. has fixed his pay at Rs. 965 the stage next below his present pay (Rs. 980) plus Rs. 15 as personal pay minus Rs. 456-8-0 pension - Rs. 508-8 plus Rs. 15 p.p. After drawing next increment his pay amounts to Rs. 1010 minus 456-8-0 which is equal to Rs. 553-8-0. It may, however, be presumed that the date of increment viz/A 5-10-48 is correct.

Id/-
11/5

Id/-
11/5/50.

u.o.r. to P.W.D., dated 11-5-50 with files Nos. P.W.D. of 5660/36/ & 6851/36.

E.B.(II). P. W. D.

Submitted with reference to the office note dated the 18-4-50.

2. The A.G. may be requested u.o. to confirm the ~~presumption~~ presumption in the concluding portion marked 'A' of the F.D.'s note above.

Id/-
16-5-50.

Id/-
17/5/50.

* with P.W.D. ffiles No.5660/36-VI and 6851/36.

U.O.R. to the A.G., Bombay, dated the 18-5-50.

9235/36/51220.

Returned with compliments to Govt. in P.W.D., Bombay.

2. The presumption made in concluding portion of the F.D's note, dated the 11-5-50 is correct.

EBI with P.W.D.File No.5660/36-VI 6851/36-P.W.D.

Id/-
23-6-50.

U.O.R. to Govt. P.W.D., Bombay.
U.O.R. G. II/BSE/1268, dated the 24/6/50.

E.B.(I). P. W. D.

Submitted with reference to the office note dated the 17-5-50.

2. The papers may now be shown u.o. to the F.D.

Id/-
27-6-50.

Id/-
27/6/50.

U.O.R. to the F.D., dated the 28-6-50.

Finance Department (X).

Seen and returned.

*with P.W.D. files No.5660/36-VI and Provl. File No. 6851/36.

Id/-
30/6

Id/-
30/7

U.O.R. to P.W.D., dated 5_7-50.

* With P.W.D. files No.5660/36-XI and Provl. File No. 6851036.

9235/36/54864.

E.B.(I). P. W. D.

These papers relate to the fixation of pay of pay of re-employed officers in the prescribed (revised) scales. Please see office notes dated the 22-6-49, and the 21-1-50, the A.G.'s u.o.r. No. G.IIBSE 75, dated the 11-4-50. and the notes on pages 21-23 ante. The A.G. may be informed as proposed in the office note dated 21-1-50. He may also be informed that his ~~kk~~ action.....

action in refixing the refixing the pays of Shri Raghavan and Shri Parikh is in order. The draft put up for approval may issue.

Id/-
31-7-50.

Letter.

No. 9235/36--E(I). Public Works Department,
Bombay Castle (Bombay No.1),
7th August 1950.

To

The Accountant General, Bombay,
(Through the Finance Department).

Subject:- Fixation of pay of re-employed officers in the prescribed (revised) pay-scales.

Reference:- Correspondence ending with your No.G.II-B.S.E./1268, dated the 24th June 1950.

2. Government is pleased to direct that the re-employed officers, who on re-employment were given initial pay, which together with their uncommuted pension (i.e. pay inclusive of uncommuted pension) did not exceed the substantive pay last drawn by them at the time of their retirement, should be allowed pay admissible in the prescribed scales, their initial pay being taken as "Present pay" for purposes of the Bombay Civil Services (Revision of pay) Rules, 1949, provided that the initial pay on re-employment was at a stage in the unrevised scales. The cases of all other re-employed officers should be referred to Government for orders.

3. Your action in re-fixing the pay of Shri R.C. Raghavan, temporary Deputy Engineer, and Shri R.D. Parikh, retired Executive Engineer, as indicated in your No. G. II-B.S.E./75, dated the 11th April 1950, is in order.

By order of the Governor of Bombay,

Sd/-
Deputy Secretary to the Government of Bombay,
Public Works Department.

D.A.:- Nil.

Copy forwarded to -

the Finance Department,
the Superintending Engineers of Circles,
the Electrical Engineer to Government,
the Public Health Engineer to Government;

for information.

No.G.106/8154 of 1950.

Office of the Supdtg. Engineer,
Gujarat Irrigation Circle,
Baroda, 3rd November 1950.

To

The Secretary to Government,
Public Works Department,
Bombay.

Sub:- Fixation of Pay of re-employed officers in the prescribed (revised) Pay Scales.

Ref:- G.L.P.W.D.No.9235/36-E(I) dated 7-8-50.

There is no such case in this Circle as desired by Government in para 2 under reference.

Sd/-
Superintending Engineer,
Gujarat Irrigation Circle.

Pr.2. Comp: By:- Id/-
2/11